United Nations S/2012/761

Security Council

Distr.: General
12 October 2012

Original: English

France, Germany, India, Morocco, South Africa. Togo and United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Recalling its resolution 2056 (2012), its presidential statements of 26 March 2012 (S/PRST/2012/7), 4 April 2012 (S/PRST/2012/9) as well as its press st. tements on Mali and the Sahel of 22 March 2012, 9 April 2012, 18 June 2012, 10 August 2012 and 21 September 2012,

Reaffirming its strong commitment to the sovereignty, unity and territorial integrity of Mali,

Reiterating its serious concern about the insecurity and rapidly deteriorating humanitarian situation in the Sahel region, which is further complicated by the presence of armed and terrorist groups and their activities, as well as by the proliferation of weapons, from within and outside the region, and *expressing* its grave concern about the consequences of instability in the north of Mali on the region and beyond, and *stressing* the need to respond swiftly in order to preserve stability across the Sahel region,

Reiterating its grave concern about the continuing deterioration of the security and humanitarian situation in the north of Mali, the increasing entrenchment of terrorist elements including Al-Qaida in the Islamic Maghreb (AQIM), affiliated groups and other extremist groups, and its consequences for the countries of the Sahel and beyond,

Stressing the primary responsibility of the Malian authorities for ensuring the security and unity in its territory and protecting its civilians with respect for international humanitarian law, the rule of law and human rights and *emphasizing* that any sustainable solution to the crisis in Mali should be Malian-led,

Expressing serious concerns about criminal groups activities in the north of Mali and *recognizing* the urgent need for enhanced cooperation and coordination between the Malian authorities, neighbouring countries and countries of the region, in collaboration with relevant United Nations entities, regional and international organizations as well as bilateral partners, in order to tackle transnational organized crime, including illicit activities such as drug trafficking,

Encouraging the international community to provide support to resolve the crisis in Mali through coordinated actions for immediate and long-term needs, encompassing security, development and humanitarian issues,

Taking note of the letter of the Transitional authorities of Mali dated 1 September 2012 to the Economic Community of West African States (ECOWAS) requesting military assistance to reorganize the Armed Forces of Mali and restore the territorial integrity of Mali, of which the north is occupied by terrorist groups, and combat terrorism,

Taking note of the letter of the Transitional authorities of Mali dated 23 September 2012 to ECOWAS on the conditions for the deployment of ECOWAS troops in Mali and *underscoring* the importance of addressing the actions outlined therein,

Taking note of the letter of the Transitional authorities of Mali dated 18 September 2012 addressed to the Secretary-General, requesting the authorization of deployment through a Security Council resolution of an international military force to assist the Armed Forces of Mali acting under Chapter VII as provided by the United Nations Charter, to recover the occupied regions in the north of Mali;

Taking note of the ECOWAS letter of 28 September 2012 addressed to the Secretary-General requesting a Security Council resolution authorizing the deployment of a stabilization force in Mali under a Chapter VII mandate of the United Nations Charter and further *taking note of* the ECOWAS letter of 28 September 2012 addressed to the African Union to engage with the African Union on fine-tuning the concept, modalities, and means of the deployment of a stabilization force in Mali,

Recognizing the efforts and the leadership of ECOWAS, in coordination with the African Union, on the Malian crisis, as well as the important role played by the United Nations, other regional and international organizations, neighbouring states, countries of the region and bilateral partners in the resolution of the crisis in Mali, and in this regard *calling* for continued coordination,

Looking forward to the meeting of the Support and Follow-up Group on Mali, convened by the African Union in consultation with the United Nations and ECOWAS, in Bamako on 19 October 2012, which aims to clarify the modalities of international support to the Malian Transitional authorities in solving the crisis in the north of Mali,

Condemning strongly the abuses of human rights committed in the north of Mali by armed rebels, terrorist and other extremist groups, including violence against its civilians, notably women and children, killings, hostage-taking, pillaging, theft, destruction of cultural and religious sites and recruitment of child soldiers, *stressing* that some of such acts may amount to crimes under the Rome Statute and that their perpetrators must be held accountable and *noting* that the Transitional authorities of Mali referred the situation in the north of Mali since January 2012 to the International Criminal Court on 18 July 2012,

Acknowledging the steps taken by Mali, including by the signing on 6 April 2012 of a Framework Agreement under the auspices of ECOWAS, towards developing a road map for the restoration of constitutional order, an inclusive national dialogue and the organization of free, transparent, and fair presidential elections within twelve months of the signing of the Framework Agreement,

Determining that the situation in Mali constitutes a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the appointment of a Government of National Unity in Mali, *expresses its support* to the work of the Interim president of Mali, Dioncounda Traoré and *urges* the Transitional authorities in Mali to present a detailed road map for transition with concrete steps and timelines and to accelerate efforts towards the strengthening of democratic institutions and the restoration of constitutional order in the Republic of Mali through the holding of timely, peaceful, inclusive and credible elections by the end of the transition;

2. *Reiterates* its demand that no member of the Malian Armed Forces should interfere in the work of the Transitional authorities, *takes note* of the decisions and recommendation by ECOWAS to adopt targeted sanctions in Mali and *expresses its readiness* to consider appropriate measures as necessary;

3. *Calls upon* Malian rebel groups to cut off all ties to terrorist organizations, notably AQIM and affiliated groups, and *expresses its readiness* to adopt targeted sanctions against those rebel groups who do not cut off all ties to terrorist organizations, including AQIM and affiliated groups, recalls paragraphs 20 and 24 of resolution 2056 (2012) and *further decides* that the 1267/1989 Committee shall take decisions on requests of Member States to add to the Al-Qaida sanctions list names of individuals, groups, undertakings, and entities in Mali that are associated with Al-Qaida, in accordance with resolutions 1267 (1999) and 1989 (2011);

4. *Urges* the Transitional authorities of Mali, the Malian rebel groups and legitimate representatives of the local population in the north of Mali, to engage, as soon as possible, in a credible negotiation process in order to seek a sustainable political solution, mindful of the sovereignty, unity and territorial integrity of Mali and *requests* the Secretary-General, as well as neighbouring countries, countries of the region, international and regional organizations and other bilateral partners, to support this Malian political process;

5. *Demands* that all groups in the north of Mali cease all abuses of human rights and violations of international humanitarian law, including targeted attacks against the civilian population, sexual violence, recruitments of child soldiers and forced displacements, and *recalls* in this regard all its relevant resolutions on Women, Peace and Security, on Children and armed conflicts and on Protection of civilians in armed conflicts;

6. *Declares its readiness*, upon receiving the Secretary-General's report referred to in paragraph 7 below, to respond to the request of the Transitional authorities of Mali regarding an international military force assisting the Malian Armed Forces in recovering the occupied regions in the north of Mali;

7. *Requests* the Secretary-General to immediately provide military and security planners to assist ECOWAS and the African Union, in close consultation with Mali, the neighbouring countries of Mali, countries of the region and all other interested bilateral partners and international organizations, in the joint planning efforts to respond to the request of the Transitional authorities of Mali for such an international military force, and *further requests* the Secretary-General, in close consultation with the above-mentioned partners, to submit, no later than forty-five days after the adoption of this resolution, a written report on the implementation of this resolution, including support provided under paragraph 4 and this paragraph, and detailed and actionable recommendations to respond to the request of the

Transitional authorities of Mali regarding an international military force, including means and modalities of the envisaged deployment, in particular the concept of operations, force generation capabilities strength and support financial costs;

8. *Calls upon* the Transitional authorities of Mali to take immediately all the appropriate measures to facilitate the regional and international preparation efforts taken in relation with the objective outlined in paragraph 6 above, *calls upon* Member States, regional and international organizations, to provide coordinated support to these regional and international preparation efforts, including through military training, provision of equipment and other forms of assistance in efforts to combat terrorist and affiliated extremist groups, and *further invites* those Member States and organizations to inform the Secretary-General of their contributions;

9. *Calls upon*, in this context, Member States, regional and international organizations, including the African Union and the European Union, to provide as soon as possible coordinated assistance, expertise, training and capacity-building support to the Armed and Security Forces of Mali, consistent with their domestic requirements, in order to restore the authority of the State of Mali over its entire national territory, to uphold the unity and territorial integrity of Mali and to reduce the threat posed by AQIM and affiliated groups;

10. *Welcomes* the appointment by the Secretary-General of a Special Envoy for the Sahel, who should mobilize international efforts for the Sahel, coordinate the implementation of the United Nations integrated strategy on the Sahel and engage actively in defining the parameters of a comprehensive solution to the Malian crisis;

11. *Decides* to remain actively seized of the matter.